

MINUTES OF MEETING
MAPLE RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
JUNE 2, 2016

The Maple River Water Resource District met on June 2, 2016, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Rodger Olson, Chairman; Jurgen Suhr, Manager; Gerald Melvin, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Michelle Anderson, Administrative Assistant; Sean Fredricks, Attorney for the Board; Mike Opat, Engineer for the Board; Jason Benson, Cass County Engineer; and those whose names appear on the attached roster.

Minutes

It was moved by Manager Suhr, seconded by Manager Melvin and unanimously carried to approve the minutes of the May 5, 2016, meeting.

Tower Township Improvement District No. 77

Manager Melvin and Tim Richman reported that property owners are very interested in Tower Township Improvement District No. 77, a proposed legal drain along Cass County Highway 32. Property owners would like to see drainage improvements, as well as the improvements the project would provide to roads in the project area.

Sean Fredricks reviewed the process to develop an assessment drain. The Board would require a \$50,000 deposit or bond before pursuing the project. The funds would be returned if the benefitting property owners vote to approve the project.

Discussion was held on project impacts in Barnes County. Mr. Fredricks and Mike Opat stated they could approach the Barnes County Water Resource District about the project. Jason Benson stated he would approach the Cass County Commission about the possibility of providing \$10-15,000 to get to the total \$50,000 bond needed to pursue the project.

The Board directed Mr. Opat to develop a watershed map, looking incrementally with 1, 2 or 3 channels. Another meeting will be held with property owners in the project area in the future. Mr. Opat encouraged property owners to begin working on wetland delineations, updating their maps, and outlining any U.S. Fish and Wildlife Easements on their property.

Requests for Drainage on Highway Right of Way for Mark Belter to clean the State Highway 18 ditch between Sections 2 and 3, between Sections 10 and 11, in Sections 22, 17 and 33, and remove the existing approach in the SE 1/4 of Section 3 in Maple River Township

It was moved by Manager Melvin and seconded by Manager Suhr to approve the *Requests for Drainage on Highway Right of Way* for Mark Belter for the following:

- To clean the State Highway 18 ditch between Sections 2 and 3 and between Sections 10 and 11 and to remove an existing approach that has already been partially removed in the SE 1/4 of Section 3 in Maple River Township; and
- To clean the State Highway 18 ditch in Sections 22, 27 and 33 of Maple River Township.

Upon roll call vote, the motion carried unanimously.

Upper Swan Creek Channel Improvements

Work continues on right of way for the Upper Swan Creek Channel Improvements Project.

Cass County Drain MR-1 District / Drain 37 Channel Improvement Project No. 2016-01

Mike Opat stated work has begun to determine the right of way needed for the Cass County Drain MR-1 District / Drain 37 Channel Improvement Project No. 2016-01. Discussion was held on the right of way process, the value of land and easements.

It was moved by Manager Suhr and seconded by Manager Melvin to authorize Moore Engineering, Inc. to offer property owners \$6,000 per acre for permanent right of way and \$500 per acre for permanent easements regarding the Cass County Drain MR-1 District / Drain 37 Channel Improvement Project No. 2016-01. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Suhr and seconded by Manager Melvin to approve and authorize Chairman Olson to sign Task Order No. 6 for Moore Engineering, Inc. for services regarding Cass County Drain MR-1 District / Drain 37 Channel Improvement Project No. 2016-01. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Suhr and seconded by Manager Melvin to approve the *Resolution of Necessity* regarding Cass County Drain MR-1 District / Drain 37 Channel Improvement Project No. 2016-01. Upon roll call vote, the motion carried unanimously. A copy of this Resolution is attached hereto.

Lynchburg-Buffalo Project No. 2016-01

A cost-share request was submitted to the State Water Commission regarding Lynchburg-Buffalo Project No. 2016-01.

2016 Swan-Buffalo Detention Dam Repairs - No. 5 (Garsteig), No. 8 (Embden) and No. 12 (Absaraka)

It was moved by Manager Suhr and seconded by Manager Melvin to approve and authorize Chairman Olson to sign the *Agreement* and *Notice to Proceed* for the 2016

Swan-Buffer Detention Dam Repairs for Dam No. 5, No. 8 and No. 12. Upon roll call vote, the motion carried unanimously.

Upper Maple River Dam Emergency Action Plan – cost-share agreements with the State Water Commission and Red River Joint Water Resource District

It was moved by Manager Melvin and seconded by Manager Suhr to approve and authorize Chairman Olson to sign the *Agreement for Cost-Share Reimbursement* with the State Water Commission regarding the Upper Maple River Dam Emergency Action Plan (EAP). Upon roll call vote, the motion carried unanimously.

It was moved by Manager Suhr and seconded by Manager Melvin to approve and authorize Chairman Olson to sign the *Cost-Share Agreement* with the Red River Joint Water Resource District regarding the Upper Maple River Dam Emergency Action Plan (EAP). Upon roll call vote, the motion carried unanimously.

Lake Bertha Flood Control Project No. 75

Mike Opat reported the Cass County Joint Water Resource District reviewed assessment calculations and benefit analysis regarding Lake Bertha Flood Control Project No. 75. Mr. Fredricks stated easements are not needed for the project. Manager Melvin stated many acres of land will be gained from this project for property owners to farm once the water in this area is stabilized.

Application to Install a Subsurface Drain #20163 for Western Trust Company, Gary G. Hoffman, Trustee, in the SW 1/4 and SE 1/4 of Section 22 in Addison Township

The *Application to Install a Subsurface Drain* for Western Trust Company, Gary G. Hoffman, Trustee, in the SW 1/4 and SE 1/4 of Section 22 in Addison Township was reviewed and discussed. Mr. Opat presented a map illustrating the placement of the proposed drain tile and pump. The Board will consider the application at the next meeting after the *Thirty-Day Notice* time period has concluded.

Temporary Water Permit application for Mike Kasowski to divert water from the Maple River in Section 1 of Durbin Township for irrigation

The Board received and filed a Temporary Water Permit application for Mike Kasowski to divert water from the Maple River in Section 1 of Durbin Township for irrigation.

Applications for Sproul Subdivision in the NW 1/4 of Section 8 in Buffalo Township and Kellerman Subdivision in the SW 1/4 of Section 22 in Watson Township

It was moved by Manager Suhr and seconded by Manager Melvin to authorize the Secretary-Treasurer to submit comment, with input from the Water Resource District Engineer, to the Cass County Planner regarding the applications for the following:

- Sproul Subdivision in the NW 1/4 of Section 8 in Buffalo Township; and
- Kellerman Subdivision in the SW 1/4 of Section 22 in Watson Township.

Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Melvin and seconded by Manager Suhr to approve the payment of Checks #5540 through #5548, and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Olson, Suhr, and Melvin. The Chairman declared the motion passed.

Adjournment

There being no further business for the Board to consider, it was moved by Manager Suhr, seconded by Manager Olson and unanimously carried to adjourn the meeting.

APPROVED:

Rodger Olson
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer